ORIGINAL

Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of	)	
	)	
Amendment of the Commission's	)	
Rules to Establish Rules and	)	CC Docket No. 92-166
Policies Pertaining to a Mobile	)	
Satellite Service in the 1610-1626.5	)	
MHz and 2483.5-2500 MHz	)	
Frequency Bands	)	
	)	

REPLY OF L/Q LICENSEE, INC.

Pursuant to Section 1.429(g) of the Commission's Rules, L/Q Licensee, Inc. ("LQL"), hereby replies to the "Opposition" filed by Motorola Satellite Communications, Inc., to LQL's "Petition for Clarification" of the Memorandum Opinion and Order, FCC 96-54 (released Feb. 15, 1996) ("MO&O"), in this proceeding.

In the Petition, LQL asked the Commission to clarify that its decision in the MO&O (¶¶ 12-14) to eliminate the interim band plan for MSS Above 1 GHz systems is conditioned on there being no obligation for MSS licensees to protect GLONASS receivers in the United States at a level which would impair MSS operations in the 1610-1626.5 MHz band. Although Motorola opposed LQL's Petition, LQL believes that its position is not inconsistent with that of Motorola, as expressed in its Opposition to the Petitions for Reconsideration filed by Aeronautical Radio, Inc. ("ARINC") and TRW Inc. LQL supports elimination of any band plan for operation of MSS systems designed to protect an interim

Cd 11

frequency configuration for GLONASS operations. LQL seeks clarification that MSS Above 1 GHz systems will only be required to provide interference protection for GLONASS operations in its final frequency configuration and at levels which preserve the availability of the full 1610-1626.5 MHz band for MSS systems.

I. LQL'S PETITION DID NOT SEEK PROTECTION OF GLONASS OPERATIONS OR IMPAIRMENT OF MSS SYSTEM OPERATIONS.

Motorola's Opposition suggests that LQL filed its Petition to object to the Commission's decision not to impose an interim band plan to protect GLONASS operations in the United States. See Motorola Opposition, at i. In fact, like Motorola, LQP has consistently opposed adoption of an interim plan for MSS operations in the 1610-1626.5 MHz band based on a perceived obligation to protect GLONASS operations at frequencies other than those specified as part of its final frequency configuration below 1605 MHz.[1] See LQP's Petition for Clarification and Partial Reconsideration, at 12-17 (filed Nov. 21, 1994); LQP's Reply Comments, at 11-18 (filed June 20, 1994). Accordingly, LQL supports the Commission's decision to eliminate the interim plan based on "the substantial uncertainty as to whether protection of GLONASS will ever be necessary in any

[1] GLONASS operations currently include the 1610-1616 MHz band, but, the Russian Federation has agreed to migrate GLONASS operations to frequencies below 1605 MHz. Under its transition plan, GLONASS will cease operations above 1609 MHz by 1998 and complete migration to frequencies below 1605 MHz by 2005.

configuration other than its final configuration at frequencies below [1605] MHz." MO&O, ¶ 14.

LQL and Motorola have taken consistent positions on this issue as demonstrated in their respective Oppositions to the Petition for Reconsideration filed by ARINC. ARINC suggested that the Commission should reinstate the interim plan in order to provide protection for GLONASS's interim frequency configuration through 2005 now that GLONASS has been "accepted" by the International Civil Aviation Organization ("ICAO") as part of the Global Navigation Satellite System ("GNSS"). See ARINC Petition, at 9-10.

However, for the reasons explained in LQL's Opposition, it would be nearly impossible for GLONASS to be integrated into a GNSS used in the United States for precision approach and landings prior to 2005, by which date GLONASS has committed to operate on frequencies only below 1605 MHz. See LQL Opposition, at 6-10. Motorola's analysis of Department of Transportation and Federal Aviation Administration plans for civil radionavigation aids is consistent with LQL's analysis of the procedures within the ICAO and RTCA which must be completed before there would be a need to provide protection for GLONASS receivers in the United States as part of GNSS. See Motorola Opposition, at 8-12. Because such protection could not be required before GLONASS has migrated to its final frequency configuration, the Commission correctly eliminated the interim band plan.

LQL also agrees with Motorola that, contrary to the claims of ARINC, the United States is under no obligation pursuant to S5.364 adopted at the 1995 World Radiocommunication Conference ("WRC-95") to adopt an interim plan to protect GLONASS in an interim frequency configuration. Moreover, contrary to ARINC's Petition (at 8-9), there are no such current obligations arising from the 1992 World Administrative Radiocommunication Conference, WRC-95, or the Chicago Convention. See Motorola Opposition, at 12-16; LQL Opposition, at 11-12. Thus, Motorola and LQL are in agreement that the Commission should not adopt as a matter of policy, and is not obligated to adopt by law or treaty, protection criteria for GLONASS's interim frequency configuration in the United States.

II. THE COMMISSION SHOULD NOT ADOPT ANY PROTECTION CRITERIA FOR GLONASS RECEIVERS WHICH WOULD IMPAIR AVAILABILITY OF THE ENTIRE 1.6 GHZ BAND FOR MSS.

LQL filed its Petition in response to the Commission's recent statement that it planned to adopt the recommendation of the RTCA, Inc., on standards for out-of-band emissions from mobile earth stations associated with MSS systems as they affect GNSS, which may include GLONASS at some time in the future. See Notice of Proposed Rulemaking re Streamlining the Commission's Rules and Regulations for Satellite Application and Licensing Procedures, 10 FCC Rcd 10624, 10631 (1995). The objective of the RTCA activity is to define out-of-band protection criteria for GLONASS receivers operating below 1605 MHz which balance the interests of the MSS community with protection for GLONASS

operations. As LQL explained in its Petition (at 3-5), despite the extensive efforts of this group to reach a consensus, the position of the FAA has made consensus difficult to achieve. Essentially, the FAA seeks protection limits for GLONASS below 1610 MHz which are equivalent to those applied to the U.S. Global Positioning System ("GPS") operating at 1574.397-1576.443 MHz. See 47 C.F.R. § 25.213(b) (-70 dBW/MHz e.i.r.p. density). This protection limit is far more restrictive than necessary. Analyses submitted to the RTCA demonstrate that a -54 dBW/MHz e.i.r.p. density level is sufficient for protection of GLONASS receivers up to 1605 MHz. The limits proposed by the FAA in the RTCA process would impose substantial burdens on CDMA MSS system operators because of the proximity of the CDMA segment to the highest GLONASS frequency after migration is completed. These burdens include possible loss of spectrum use and/or more costly and heavier user terminals.

In taking issue in its Petition with the Commission's decision to abandon the interim plan before endorsing the -54 dBW/MHz e.i.r.p. density limit, LQL intended to point out that the burden of meeting a more stringent (and unnecessary) e.i.r.p. density limit would fall disproportionately on the licensees in the lower part of the band, namely, the CDMA licensees. By adopting the -54 dBW/MHz e.i.r.p. density level contemporaneously with eliminating the interim plan, the Commission would affirm that TDMA licensees would have unencumbered use of a full 5.15 MHz of spectrum in the band, and CDMA

licensees would have unencumbered use of a full 11.35 MHz of spectrum, consistent with the terms of the Report and Order, 9 FCC Rcd 5936 (1994).

In its Opposition, Motorola recognizes that "[t]he proper resolution of the GLONASS issue is not to diminish the bandwidth available to any licensee, but rather to adopt the out-of-band emissions limit that meets the requirements of the world's air navigation systems and preserves the availability of the full 1610-1626.5 MHz band for MSS systems." Motorola Opposition, at 16-17. LQL agrees with this statement, and believes that clarification of the Commission's MO&O to that effect will resolve its Petition.

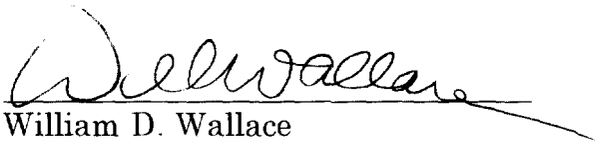
III. CONCLUSION

Accordingly, LQL requests that the Commission grant its Petition for Clarification by recognizing that in order to promote MSS, and to treat all systems equitably, the Commission must decide not to provide protection for any interim frequency configuration of GLONASS in the United States and not to adopt

protection criteria for out-of-band emissions for mobile earth stations associated with MSS systems to protect GLONASS receivers operating below 1605 MHz.

Respectfully submitted,

L/Q LICENSEE, INC.

By: 

William D. Wallace
CROWELL & MORING
1001 Pennsylvania Avenue, N.W.
Washington, DC 20004
(202) 624-2500

Its Attorneys

Of Counsel:

William F. Adler
Vice President &
Division Counsel
GLOBALSTAR
3200 Zanker Road
San Jose, CA 95134

Leslie A. Taylor
Guy T. Christiansen
LESLIE TAYLOR ASSOCIATES
6800 Carlynn Court
Bethesda, MD 20817
(301) 229-9341

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CERTIFICATE OF SERVICE

I, William D. Wallace, hereby certify that I have on this 30th day of May 1996, caused copies of the foregoing Reply of L/Q Licensee, Inc. to be delivered via hand delivery (indicated with *) or by U.S. mail, postage prepaid, to the following:

*Donald Gips
International Bureau
Federal Communications Commission
2000 M Street, N.W
Room 800
Washington, D.C. 20554

*Thomas Tycz
Chief,
Satellite & Radio Communications Division
Federal Communications Commission
Suite 800
2000 M Street, N.W.
Washington, D.C. 20554

*Cecily C. Holiday
Deputy Chief
Satellite & Radio Communications Division
Federal Communications Commission
Suite 800
2000 M Street, N.W.
Washington, D.C. 20554

*Karl A. Kensinger
International Bureau
Satellite Radio Branch
Federal Communications Commission
Suite 800
2000 M Street, N.W.
Washington, D.C. 20554

*Kathleen Campbell
International Bureau
Satellite Policy Branch
Federal Communications Commission
Suite 800
2000 M Street, N.W.
Washington, D.C. 20554

*Fern J. Jarmulnek
Chief
Satellite Policy Branch
Federal Communications Commission
2000 M Street, N.W.
Washington, D.C. 20554

*Harry Ng
Satellite Engineering Branch
Federal Communications Commission
2000 M Street, N.W
Fifth Floor
Washington, D.C. 20554

John L. Bartlett
Wiley, Rein & Fielding
1776 K Street, N.W.
Washington, D.C. 20006

Jill Abeshouse Stern
Shaw, Pittman, Potts & Trowbridge
2300 N Street, N.W.
Washington, D.C. 20036

Bruce D. Jacobs
Glenn S. Richards
Fisher Wayland Cooper
Leader & Zaragoza
2001 Pennsylvania Avenue, N.W.
Suite 400
Washington, D.C. 20006

Robert A. Mazer
Albert Shuldiner
Vinson & Elkins L.L.P.
1455 Pennsylvania Ave., N.W.
Suite 700
Washington, D.C. 20004

Lon C. Levin
American Mobile Satellite Corporation
10802 Parkridge Boulevard
Reston, VA 22091

Michael D. Kennedy
Barry Lambergman
Motorola, Inc.
Suite 400
1350 I Street, N.w.
Washington, D.C. 20005

Philip L. Malet
Alfred M. Mamlet
Steptoe & Johnson
1330 Connecticut Avenue, N.W.
Washington, D.C. 20036

Norman P. Leventhal
Raul R. Rodriguez
Leventhal, Senter & Lerman
2000 K Street, N.W.
Suite 600
Washington, D.C. 20006

Dr. Robert L. Reimer
Committee on Radio Frequencies
HA-562
National Research Council
2101 Constitution Avenue, N.W.
Washington, D.C. 20418

Robert A. Frazier
Gerald G. Markey
Spectrum Engineering &
Planning Division
ASM-500
Federal Aviation Administration
800 Independence Ave., S.W.
Washington, D.C. 20591

William D Wallace